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I, Jeoffrey L. Burtch, am of legal age and do hereby declare that:

- 1. I am the appointed Bankruptcy Trustee for Gwalia (USA) Ltd., (Gwalia) which filed for Chapter 7 bankruptcy on June 25, 1999, in the District of Delaware. The Debtor previously represented that it was the owner of property known as the Barite Hill Gold Mine Site (the Site) located in McCormick County, South Carolina. I make no representations or warranties that the debtor owns or owned the property known as the Barite Hill Gold Mine Site. No survey was conducted by the bankruptcy estate.
- 2. As the Trustee I have authority to grant access to property titled in the name of Gwalia on behalf of the Chapter 7 estate of Gwalia.
- 3. I expressly grant any duly designated officer, employee, contractor, or representative of the United States Environmental Protection Agency (EPA) permission to have entry upon the above referenced property. Activities to be conducted by EPA on property that is property of the Gwalia Chapter 7 estate may include, but are not limited to the following activities:
- a. taking of such soil, water, and air samples as may be determined necessary;
 - b. sampling of containers of chemicals and other products as may be determined necessary;
- c. removal and proper disposal of chemicals and waste found on Site;
 - i. staging of equipment and supplies on Site while sampling events are ongoing;
 - e. conducting Site stabilization activities such as: securing the site signage, containment, water treatment, stabilization of waste rock piles, eroded leach pad piles and drainage pathways;
 - f. demolishing of any structures on Site that may pose a risk to human health, welfare and the environment;



- g. any other action that may be necessary to abate the threat to human health, welfare and the environment.
- 4. I recognize that EPA's request and use of the Site property is undertaken pursuant to Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act of 1984, CERCLA 42 U.S.C. Section 9604, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) P.L. 99-499.
- 5. Unrestricted access is hereby granted at all reasonable times beginning on or after March 30, 2007, and continuing through March 31, 2008, for the purposes set forth above.
 - 6. If the completion of the work will take longer than the time provided herein EPA will request an extension of the access provided by this Agreement.
 - 7. By granting this authorization, I do not admit any liability of Gwalia in relation to the Site and do not waive any right that Gwalia may be entitled to.

4/4/07

Date

Jeoffrey L. Burtch, Chapter 7 Trustee